

(C.No.33976/Vig.VII(2)/2008)

Sub:- PS - Allegation of Corruption against Sri G.Nagaiah, Junior Assistant, O/O Tahsildar, Pulakal(M), Medak dist. - Trapped on 28-6-2008- Reg.

Ref:- Radio Message from DSP, ACB, Nizamabad Range, Nizamabad camp at Sangareddy, Medak dt.28-6-2008(addressed to Collector, Medak)

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The message received from DSP, ACB, Nizamabad Range, Nizamabad camp at Sangareddy, Medak may be seen at page 1 c.f.

The Deputy Superintendent of Police, ACB, Nizamabad Range, Nizamabad camp at Sangareddy, Medak informed that Sri G.Nagaiah, Junior Assistant, O/O Tahsildar, Pulakal(M), Medak dist. was trapped by ACB on 28-6-2008 when he demanded and accepted bribe amount of Rs.600/- from the complainant Sri M.Jarpal Reddy for doing official favour i.e for preparing and issue of pahanies and RORs. The chemical test conducted on the Accused Officer yielded positive result. The A.O was arrested on 28-6-2008 at 3.30 P.M and further requested to place the Accused officer under suspension in terms of Memo No.36761/Ser.C/2004, dt.12-3-2004 of GA(Ser.C) Dept. since he was involved in a case of moral turpitude.

In view of the above, it is submitted for orders whether the Collector, Medak district/CCLA may be requested to place Sri G.Nagaiah, Junior Assistant, O/O Tahsildar, Pulakal, Medak dist. under suspension and also to file caveat petitions in the APAT so as to restrain the Accused Officer from obtaining stay orders and intimate the same to Government.

Subject to orders, a draft Memo is submitted below for approval.

REVENUE(VIG.VII) DEPARTMENT

Memo No.33976/Vig.VII(2)/2008-1.

dt.05-07-2008

Sub:- P.S – Allegation of corruption leveled against Sri G.Nagaiah,
Junior Assistant, O/O Tahsildar, Pulakal(M), Medak dist. –
Request to place the individual under suspension – Reg.

Ref:- Radio Message, dt.28-6-2008(Copy marked to Collector, Medak)

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The attention of the Collector & District Magistrate, Medak is invited to the ref. cited, and is informed that Sri G.Nagaiah, Junior Assistant, O/o Tahsildar, Pulakal(M), Medak dist. was trapped on 28-6-2008 by the ACB and was arrested on 28-6-2008. As he was involved in moral turpitude, the Collector, Medak is requested to place Sri G.Nagaiah, Junior Assistant, under suspension immediately in terms of Memo No.36761/Ser.C/2004, dt.12-3-2004 and to take action to file caveat petition in APAT immediately so as to restrain the accused Officer from obtaining stay orders of suspension and send the compliance report to Government immediately.

M.RAMAI AH
DEPUTY SECRETARY TO GOVERNMENT

To,
The Collector, Medak.
The Special Chief Secretary & Chief Commissioner of Land
Administration, Hyderabad
Copy to :
The Director General , Anti Corruption Bureau, Hyderabad.
The Vigilance Commissioner, A.P.Vigilance Commission,
Hyderabad.
Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
REVENUE(VIG.VII) DEPARTMENT

Lr.No.33976/Vig.VII(2)/2008-2,

dt.23-8-2008

From
Deputy Secretary to Government
Revenue(Vig.VII) Department
A.P.Secretariat, Hyderabad.

To
The Secretary to
Vigilance Commissioner,
Secretariat Buildings,
Hyderabad(we).

Sir,

Sub:- P.S - Allegation of corruption against Sri G.Nagaiah, Junior Assistant, O/O Tahsildar, Pulakal(M), Medak dist.- Trapped - Furnishing of copy of instructions issued to the Collector for - Suspension of the individual - Reg.

Ref:- 1) Govt. Memo No.33976/Vig.VII(2)/2008-1,
Dt.5-7-2008.

2) From the APVC Lr.No.3677/VC.C3/2008-1,
dt.14-8-2008.

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With reference to the letter 2nd cited, I am directed to enclose a copy of the instructions issued to the Collector, Medak district for the suspension of the individual and to file caveat petition before the APAT, as desired.

Yours faithfully,

for Deputy Secretary to Government

(From the APVC Lr No.3677/VC.C3/2008-2, dt.28-1-09)

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Please see the letter dt. 28.1.2009 of the APVC, Hyd. at page 93 c.f.

The issue in the file relates to the allegation of demand and acceptance of bribe amount leveled against Sri G.Nagaiah, Junior Assistant, O/O Tahsildar, Pulakal(M), Medak dist.

Brief History of the case:

Sri G.Nagaiah, Junior Assistant, O/O Tahsildar, Pulakal(M), Medak dist. was trapped by ACB officials on 28-6-2008 when he demanded and accepted an amount of Rs.600/- as bribe

from the complainant for doing official favour i.e for preparing and issue of pahanies and RORs. He was placed under suspension by Collector, Medak at Sangareddy vide Procs.No.A3/VS/5306/08, dt.4-7-2008.

The Director General, Anti Corruption Bureau while furnishing the final report vide his Lr., dt.18-12-2008 recommended to prosecute Sri G.Nagaiah, Junior Assistant, O/O Tahsildar, Pulakal(M), Medak dist.. in a court of Law as the charge of acceptance of bribe leveled against him is held substantiated and also recommended to initiate departmental action for non submission of Annual Property statements and also for engaging a private person to discharge his official duties.

Now, the Vigilance Commissioner has advised to consider and accord sanction for prosecution of the A.O. in a court of law for the offences punishable under section 7, 13(2) r/w 13(1) (d) of P.C.Act., 1988 and accord sanction for prosecution and also advised to initiate departmental action against the A.O for Violation of A.P.Civil Service(Conduct) Rules, as recommended by the Director General, ACB, Hyd.

In view of the above it is for consideration and orders whether Sri G.Nagaiah, Junior Assistant, O/o Tahsildar, Pulakal(M), Medak dist. may be prosecuted in a court of law for the offences punishable under section 7, 13(2) r/w 13(1)(d) of P.C.Act., 1988 and and the CCLA/Collector, Medak Dist. may be instructed to initiate departmental action for violation of AP Civil Service(Conduct) Rules.

After Orders are passed the file may be circulated to M(Rev) for approval.

ABSTRACT

Public Services - Allegation of Corruption against Sri Gangadhari Nagaiah,
Junior Assistant, Office of the Mandal Revenue Officer, Pulkal Mandal, Medak
district - Sanction of Prosecution - Orders - Issued.

Revenue(Vig.VII) Department

G.O.Ms.No.

Dt. -03-2009

ORDER:

Whereas, Sri Gangadhar Nagaiah worked as Junior Assistant in the Mandal Revenue Office, Pulkal Mandal of Medak district from 01-06-2007 to 28-6-2008 and as such he is a Public Servant as defined under section 2(c) of Prevention of Corruption Act, 1988 (Central Act 49 of 1988).

And whereas, it is alleged that Sri Manthoor Jaipal Reddy S/o Bhushi Reddy, age:24 years, resident of Gonguloor Village, Pulikal Mandal, Medak district is an Agriculturist, having 3-11 acres of agricultural land in Sy.No.618/A, 637,621/E, 723, 724 and 725 at Gonguloor village. Sri M.Jaipal Reddy, approached the officials of Andhra Pradesh Grameena Vikas Bank at Shivampet for crop loan and the Bank Manager asked him to produce Khasra Pahani for the year 1954-55, Faisal Patti, Records of Rights of the years 1979-80 and 1989-90 and Pahanies for the years 2003 to 2006. On 6-6-2008, Sri M.Jaipal Reddy filed an application by enclosing his Pattadar Pass book to the Tahsildar, Pulkal mandal to issue the above documents. The Tahsildar endorsed the petition to Junior Assistant/Record Keeper and asked him to hand over the same to Sri G.Nagaiah, Junior Assistant/Record Keeper. Accordingly, Sri M.Jaipal Reddy handed over the same to Sri Nagaiah, Junior Assistant/Record Keeper, on which Sri G. Nagaiah asked Sri M.Jaipal Reddy to come after five days. On 12-6-2008, Sri M.Jaipal Reddy met Sri G.Nagaiah, but he informed that he is busy with other works and asked Sri M.Jaipal Reddy to come after wards. From that day onwards, Sri M.Jaipal Reddy went around Sri G.Nagaiah, but he sent away him one or other pretext. On 19-6-2008 again Sri M.Jaipal Reddy approached Sri G.Nagaiah and requested him for his work and at that time Sri G.Nagaiah emphatically told that he will take out the Failsal Patty, Records of Rights, Pahanies from records and he will get signature of Tahsildar only on payment of Rs.1,000/- (Rupees One thousand Rupees only) as bribe but not otherwise. Sri M.Jaipal Reddy expressed his inability to pay such a huge amount as bribe and requested to reconsider his demand. But Sri G.Nagaiah, did not consider his request and against on 25-6-2008 when Sri M.Jaipal Reddy approached Sri G.Nagaiah and requested repeatedly to complete his work. Sri G.Nagaiah reduced his demand to Rs.600/- and asked Sri M.Jaipal Reddy to come with bribe amount on 28-6-2008. As Sri M.Jaipal Reddy is not willing to pay the bribe

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to Sri G.Nagaiah, lodged a written complaint with the Deputy Superintendent of Police, Anti Corruption Bureau, Nizamabad Range at Sangareddy on 25-6-2008 at 1700 hours and requested to take necessary action against Sri G.Nagaiah, Junior Assistant/ Record Keeper, Mandal Revenue Office, Pulkal Mandal, Medak District.

And whereas a case in Cr.no.13/ACB-NZB/2008 u/s 7 of the Prevention of Corruption Act, 1988 has been registered on 28-6-08 at 0600 hours by Deputy Superintendent of Police, Anti Corruption Bureau, Nizamabad Range after due verification and investigated into.

And whereas, on 28-6-2008, i.e. on the date of trap, Sri M.Jaipal Reddy accompanied by Sri Ch.Goverdhan Reddy S/o Narayan Reddy, age:29 years Occu: Agriculture, resident of Gongloor village, met Sri G.Nagaiah, who demanded and accepted the tainted currency with his right hand, counted with his both the hands and kept the same in his left side

shirt pocket and directed Sri M.Jaipal Reddy to come afterwards as he has to obtain signature of the Tahsildar on the copies prepared by him. The Phenolphthalein test conducted on both the hand fingers of Sri G.Nagaiah, Junior Assistant/Record Keeper yielded positive result. The tainted currency of Rs.600/- was recovered at the instance and from the possession of Sri G.Nagaiah from his left side shirt pocket in the presence of Mediators. The inner flap of the left side wearing shirt pocket of Sri G.Nagaiah which came into contacts with the tainted currency, when subjected to Phenolphthalein test also yielded positive result.

And whereas, the said acts of Sri G.Nagaiah, Junior Assistant/Record Keeper, Mandal Revenue Office, Pulkal Mandal of Medak district constitute the offences punishable under section 7 & 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988.

And whereas, Government of Andhra Pradesh being the competent authority to remove Sri G.Nagaiah from Government service after fully and carefully examining the material placed before them in respect of the said allegation and having regard to the facts and circumstances of the case consider that Sri G.Nagaiah, Junior Assistant/Record Keeper, Mandal Revenue Office, Pulkal Mandal of Medak district should be prosecuted in a court of law for the aforesaid offences.

Now, therefore, in exercise of the powers conferred by clause (b) of the sub section(1) of section 19 of the Prevention of Corruption Act, 1988(Central Act 49 of 1988) Government of Andhra Pradesh hereby accord sanction for prosecution of the said Sri G.Nagaiah, Junior Assistant, Mandal Revenue Office, Pulkal Mandal of Medak district for the aforesaid offences punishable under sections 7 & 13(2) readwith section 13(1)(d) of the Prevention of Corruption Act, 1988(Central Act 49 of 1988) and for any

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other cognate offences punishable under any provisions of law for the time being in force in respect of the aforesaid act and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General
Anti Corruption Bureau
Hyderabad

With reference to orders passed in circulation at page 4 ante, draft-1 Prosecution sanction order and draft-2 Memo to Dist. Collector, Medak/ CCLA to initiate departmental action for violation of Rule 3(1)(2) of AP Civil Service (Conduct) Rules are submitted below for approval. After approval, the file may sent to Law dept. for vetting of draft sanction of prosecution order (after issue of draft-2)

GOVERNMENT OF ANDHRA PRADESH
REVENUE(VIG.VII)DEPARTMENT

Memo No.33976/Vig.VII(2)/08-3.

Dt.5-3-2009

Sub:-Public Servants - Revenue Department - Allegation of Corruption against Sri G.Nagaiah, Junior Assistant, O/O Tahsildar, Pulakal(M), Medak dist. - Initiate departmental action - Reg.

Ref:-1) Memo No.33976/Vig.VII(2)/2008-1, Dt.5-7-2008

2) From DG, ACB Lr.No.160/RCT-NZB/2008-,
dt.18-12-2008.

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The attention of the Spl.C.S & CCLA/Collector, Medak is invited to the reference 1st cited and they are informed that Government have examined the matter on the above subject and decided to initiate departmental action against Sri G.Nagaiah, Junior Assistant, O/o Tahsildar, Pulkal Mandal, Medak dist.(under suspension) for engaging a private person to work in his office and for non-submission of Annual Property Statements, thereby violating Rule 3(1)(2) and Rule 9(7) of APCS(Conduct) Rules, 1964. The draft article of charges, imputations of misconduct etc. furnished by the Director General, Anti Corruption Bureau are herewith enclosed.

The Spl.C.S&CCLA/ Dist. Collector, Medak is therefore requested to initiate necessary departmental against Sri G.Nagaiah, Junior Assistant, O/o

Tahsildar, Pulakal Mandal, Medak dist. and send compliance to Government at the earliest.

G.SUDHIR
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Special Chief Secretary & Chief Commissioner of Land
Administration, Hyderabad.(we)
Copy to the Dist. Collector, Medak at Sangareddy(we)

//FORWARDED BY ORDER//

SECTION OFFICER